(1)

BEFORE THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

W.P. No. 3518 /2003.

PETITIONER : Kuleshwar Patel, aged about 40 years, s/o Bansilal Patel Posted as Patwari at Patwari Halka No. 17 (Dhamdha), Durg, r/o Sikola, Urla Basti, Durg, P.O. & Distt. Durg, C.G.

V E R S U S

RESPONDENTS :

1. State of Chhattisgarh, through Secretary, Revenue, Mantralaya, D.K.S. Bhawan, Raipur, P.O. & District Raipur, C.G.

2. Collector, Durg, C.G.

3. Shri Pitambar Belchandan, P atwari Dhamdha, Tehsil Dhamdha, Distt. Durg, C.G.

P. R. No. 3317/03
Presented by Shri/Smt. Meena Jaiswal
dated 26.12.03

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT OF CERTIORARI, MANDAMUS AND ANY OTHER WRIT/DIRECTION/ORDER.

XI-HC-22

(33)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 3578/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	21-11-2003 Smt. Meera Jaiswal, counsel for the petitioner. Shri Ranbir Singh, Govt. Advocate takes notice for respondents 1 and 2. Heard both the counsel By this petition filed under Article 226/227 of the Constitution of India, the petitioner has challenged the order dated 25-9-2003, Annexure-P/1 by which the petitioner has been transferred from Patwari Halka No. 17, District Durg to Navagarh, District Durg. The case of the petitioner is that he is working as Patwari at Halka No. 17, Dhamdha, District Durg and by the impugned order the petitioner has been transferred in the mid session from Dhamdha to Navagarh, District Durg in order to accommodate Pitambar Belchandan. The transfer of Pitambar Belchandan, Patwari has been made at the petitioner's place on his request. The sons and daughters of the petitioner are studying in Durg city. Daughter Ranjana Patel is a student of Class 10th, Renuka Patel is a student of class 6th and Krishna Patel is a student of class 5th. The father of the petitioner is a diabetic patient and he is under the treatment of the doctor at Dhamdha. The petitioner made a representation on 16-10-2003 but that has not been considered.	

XI-HC-22

(34)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Learned counsel for the petitioner submits that the transfer of the petitioner has been effected in the mid sessions just to accommodate respondent No.3. The children of the petitioner are studying at Durg city so this mid sessions will create problem for his children, therefore, the petitioner may be allowed to make a detailed representation before respondent 2 to which the learned counsel for respondent 2 has no objection.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation raising all his grievances to respondent No. 2 within a period 15 days from today and in turn respondent No. 2 will consider the representation of the petitioner and after considering all his grievances shall pass reasoned order in an objective manner within a period 30 days from the date of receipt of the representation.

If the petitioner has already not been relieved from the post then he may be allowed to continue till the representation is decided.

Writ petition is disposed of accordingly.

Consequently, M.(W.)P. No. 3189/2003 and I.A. No. 10,095/2003 also stand disposed of.

Parties are entitled for certified copy of this order.

Barve/

Sd/-
L.C. Bhadoo
Judge